

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

CLAUDIA SONNEN,	)	
	)	
Plaintiff,	)	Case No. 03-797-AS
	)	
vs.	)	ORDER
	)	
AMERUS LIFE INSURANCE COMPANY )	)	
an Iowa corporation,	)	
	)	
Defendant.	)	

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KING, Judge:

The Honorable Donald C. Ashmanskas, United States Magistrate Judge, filed Findings and Recommendation on May 4, 2005. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). Plaintiff has filed objections to the F&R. Defendant has filed a response.

When either party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate's report. See 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Having given a *de novo* review of the issues raised in plaintiff's objections to the F&R, I find no error.

Accordingly, I ADOPT Magistrate Judge Ashmanskas' Findings and Recommendation (#94) and DENY plaintiff's motion for summary judgment (#43) and GRANT defendant's motion for summary judgment (#48).

DATED this 23<sup>rd</sup> day of June, 2005.

/s/ Garr M. King

GARR M. KING  
United States District Judge